

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CHURCH & DWIGHT CO., INC.,

Plaintiff,

v.

SPD SWISS PRECISION DIAGNOSTICS,
GMBH,

Defendant.

Civil Action No. 1:14 CV 585 (AJN)

DIRECT TESTIMONY OF GREGORY K. BELL, PH.D

I, Gregory K. Bell, hereby declare as follows:

1. I have been retained by Church & Dwight Co., Inc. (“Church & Dwight”) as an expert witness to address the amount of damages Church & Dwight is entitled to recover in this lawsuit. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently as set forth below.

2. I am a Group Vice President at Charles River Associates (“CRA”), an economics and management consulting firm. My education includes an M.B.A. and a Ph.D. in business economics, both from Harvard University, and a B.A. from Simon Fraser University. For the past twenty-four years, I have led CRA’s Life Sciences practice, which focuses on economic issues in the pharmaceutical, biotechnology, medical device, and diagnostic industries. Details of my professional experience, publications and past testimony are described in my curriculum vitae, a copy of which is attached as Appendix A. As noted in my CV, I have submitted numerous expert reports and given testimony before many courts and arbitrators in North America, Europe, and Asia involving damages models and calculations.

3. I understand that Church & Dwight and SPD Swiss Precision Diagnostics, GmbH (“SPD”) are competitors in the market for over-the-counter (“OTC”) pregnancy test sticks in the U.S. Church & Dwight’s leading brand is First Response; SPD’s leading brand is Clearblue.

4. I understand that SPD has been found liable for false advertising in violation of Section 43(a) of the Lanham Act and that the false advertising at issue involves SPD’s OTC pregnancy test product, the Clearblue Advanced Pregnancy Test with Weeks Estimator (the “Weeks Estimator” or “Product”). The nature of the false message had to do with SPD’s communication to consumers and retailers that the Product provides an estimate of weeks that is the same as a doctor’s estimate of pregnancy duration. Dkt 397 (“Liability Opinion”) at 29-40.

5. I understand that, under the Lanham Act, a prevailing plaintiff is entitled “to recover (1) the defendant’s profits, [and] (2) any damages sustained by the plaintiff” 15 U.S.C. § 1117(a). I have been retained by counsel for Church & Dwight to calculate: (1) the amount of profits SPD gained from its sales of the falsely-advertised Product, and (2) the amount of damages Church & Dwight sustained because of SPD’s false advertising.

6. Below in Section I, I provide background information that is relevant to my opinions in this case. In Section II, I provide my opinion concerning the amount of profits SPD gained as a result of its sales of the falsely-advertised Product. In Section III, I provide my opinion concerning the amount of profits Church & Dwight lost as a result of SPD’s false advertising.

I. BACKGROUND

Church & Dwight

7. Church & Dwight is a consumer packaged goods company headquartered in Ewing, New Jersey. It manufactures and markets a range of household, personal care, and specialty products across three primary business segments: consumer domestic, consumer international, and specialty products. PTX 579. First Response home pregnancy test sticks and First Response ovulation test sticks are the consumer domestic segment's leading personal care products. PTX 577 at 5. Church & Dwight's line of First Response OTC home pregnancy test sticks includes both analog and digital products. Church & Dwight's First Response brand of OTC pregnancy test sticks is the best-selling brand in the U.S. *Id.* at 7; Liability Opinion at 5. Church & Dwight's primary competition for its First Response brand home pregnancy tests is SPD's Clearblue brand home pregnancy tests. Liability Opinion at 5.

SPD and the Clearblue Supply Chain

8. SPD is headquartered in Geneva, Switzerland. PTX 558. It was founded in May 2007 as a joint venture between Procter & Gamble Company ("P&G") and Inverness Medical, Inc. ("Inverness"), a supplier of diagnostic products. PTX 553. In November 2007, Inverness acquired Alere Medical, Inc.; in 2010, Inverness changed its name to Alere Inc. ("Alere"). PTX 556; PTX 557. SPD continues to be operated as a joint venture between P&G and Alere. Liability Phase Stipulated Fact No. 2. SPD sells pregnancy tests (analog and digital), ovulation tests and fertility monitors under the Clearblue brand. PTX 555; PTX 603 at SPD-NY-D-003309; Liability Opinion at 5.

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SPD's False Advertising of the Weeks Estimator

16. For purposes of analyzing the damages issues in this case, I was asked by Church & Dwight's counsel to assume that: (a) SPD differentiated the Weeks Estimator from competitive OTC pregnancy test sticks by advertising it as being the only OTC pregnancy test able to provide an estimate of weeks pregnant that is the same as a doctor's estimate; (b) the Weeks Estimator does not actually provide the same estimate of weeks pregnant as a doctor, and (c) the Court therefore found SPD's advertising of the Weeks Estimator to be false and misleading. I also was asked by Church & Dwight's counsel to assume that the Weeks Estimator was never marketed in any manner other than using the (false) advertising that it provides an estimate of weeks pregnant that is the same as a doctor's estimate.

17. I am comfortable making these assumptions in light of the description of SPD's false advertising in the Court's Liability Opinion. As described therein, SPD's false advertising took many different forms, including product packaging, television advertising, internet advertising, presentations to retailers, retailer circulars, retailer websites and in-store

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

20. I understand that, with respect to disgorgement of SPD's profits, it is Church & Dwight's burden to prove only SPD's total revenue and then, pursuant to 15 U.S.C. § 1117(a), it is SPD's burden to prove "all elements of cost or deduction claimed." Once I review the direct testimony of SPD's damages expert, Dr. Keith Ugone, I will address in my rebuttal testimony each element of cost or deduction claimed by SPD. However, having exchanged expert reports with Dr. Ugone, having been deposed in this case, and having reviewed the transcript of Dr. Ugone's deposition testimony, I can anticipate that SPD will seek to deduct cost of goods sold and certain expenses for central marketing and consumer market knowledge. Because I agree that these expenses should be deducted, I calculate below SPD's profits available for disgorgement after deducting these expenses.³

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

³ I reserve for my rebuttal testimony my opinions concerning why other costs and deductions that Dr. Ugone may seek to take are inappropriate.

III. CHURCH & DWIGHT'S LOST PROFITS

23. I understand that all sales of the Product took place over the time period during which SPD's false advertising for the Product that focused on its key differentiating feature was being widely disseminated to retailers and consumers in the marketplace. Every consumer who decided whether to buy the Product saw packaging (and potentially other advertising) that falsely advertised the Product's key differentiating feature. Moreover, in my opinion, retailers' decisions whether to stock the Product, how much shelf space to give the Product, and where to place the Product on store shelves likely were influenced by false advertising concerning the Product's key differentiating feature. It is not apparent to me that retailers would have stocked the Product at all in the absence of SPD's false advertising, much less that they would have given the Product equivalent shelf space. Similarly, to the extent a consumer saw through SPD's false advertising and understood the truth about what the Product is capable of doing, there is no reason to assume the consumer would have purchased it. In short, I am not aware of any sales of the Weeks Estimator that took place independent from SPD's pervasive false advertising of the Product's key differentiating feature. Thus, there are no data concerning the demand for the Product supported by advertising that is not false or misleading. Accordingly, I base my lost profit analysis on the

assumption that, but for the false and misleading advertising, a Weeks Estimator product, if launched, would not have had an incremental effect on First Response stick sales.

24. To quantify Church & Dwight's lost profits, I first determine how many Weeks Estimator sticks SPD sold during the damages period. As noted above, the total number of Weeks Estimator sticks [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

26. As noted, this methodology assumes that stick sales of the Weeks Estimator came at the expense of First Response stick sales in an amount that is proportional to First Response's relative share of OTC pregnancy test stick sales. To test whether this assumption is valid, I use regression analysis.

27. Regression analysis is a standard statistical technique that may be used to isolate the effect of different independent variables on a dependent variable. As an example, regression analysis may be used to determine the effect of lot size, square footage of living area, number of bedrooms, etc., on housing prices. I used regression analysis to test whether the presence of the Weeks Estimator in the marketplace had a significant effect on First Response's relative share of OTC pregnancy test stick sales, after controlling for time, price, advertising, and month-specific effects. The results of this regression analysis are attached to this declaration as Appendix F.⁵

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

⁵ In my initial expert report, I inadvertently provided the results of a regression in which the dependent variable was the weekly relative share of First Response pregnancy test sticks *before* excluding the Weeks Estimator. Once I realized this error, I notified counsel and amended my report to include the results of a regression, shown in Appendix F, in which the dependent variable was the weekly relative share of First Response pregnancy test sticks *after* excluding the Weeks Estimator.

28. Subsequently, I reviewed Dr. Ugone's initial expert report, in which he speculated (without doing any econometric or statistical testing) that other variables may have affected First Response's relative share of OTC pregnancy test stick sales. I therefore conducted another regression analysis that I described in my rebuttal expert report, in which I examined the effect of the Weeks Estimator's presence in the marketplace on First Response's relative market share, controlling for time, price, coupons, advertising, particular product withdrawals, and month- and year-specific effects. The results of this regression analysis are attached to this declaration as Appendix G. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

29. I also wanted to be sure that the Weeks Estimator's presence did not lead to an overall increase in the stick sales of OTC pregnancy tests. If it did cause such an increase, I would need to determine how many Weeks Estimator sales would have been due to category growth as opposed to sales taken from competing products, including First Response OTC pregnancy test sticks. Using regression analysis and controlling for time, I tested for and was able to reject the

hypothesis that the presence of the Weeks Estimator led to an overall increase in stick sales of OTC pregnancy tests. Thus, I did not need to conduct further analysis to isolate Weeks Estimator sales due to category growth. The results of this regression analysis are attached to this declaration as Appendix H.

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

32. [REDACTED]

[REDACTED]

[REDACTED] As one would expect, sales of the falsely-advertised Product were made to retailers that also sell First Response OTC pregnancy test sticks. I understand, based on information received from Ms. Bishop, that with one relatively small exception significant retailers that sell OTC pregnancy test sticks stock both Clearblue and First Response products.⁶

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

■ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I declare under the penalty of perjury that the foregoing is true and correct. Executed this 25th day of August, 2017, at Boston, Massachusetts.

A handwritten signature in black ink, appearing to read "Greg Bell", written over a horizontal line.

Gregory K. Bell, Ph.D.



Gregory K. Bell

Group Vice President

PhD, Business Economics
Harvard Graduate School of Arts and Sciences/
Harvard Graduate School of Business Administration

MBA, Harvard Graduate School
of Business Administration

BA, Simon Fraser University

Dr. Gregory K. Bell leads CRA's global Life Sciences Practice. As an expert witness, he frequently testifies on damages in intellectual property, finance, and antitrust litigation in courts and arbitration proceedings in North America, Europe, Asia, and Australia. Dr. Bell's business consulting engagements focus on the economics of business strategy, working with firms to develop sustainable competitive advantages in specific product markets. He has led and consulted to numerous projects concerning game theory and competitive strategy, global launch strategy, product pricing and positioning, capital budgeting and real options, and cost-benefit analyses.

Experience

Business

- | | |
|--------------|---|
| 1992–Present | <p><i>Group Vice President</i>, Charles River Associates, Boston, MA</p> <ul style="list-style-type: none"> • Dr. Bell has held numerous positions at CRA. Currently, he is the group vice president responsible for the firm's global Life Sciences Practice and the Business Advisory Group. |
| 1987 | <p><i>Management Consultant</i>, Alliance Consulting Group, Boston, MA</p> <ul style="list-style-type: none"> • Dr. Bell designed a market research program for a consumer electronics client's new product development. |
| 1986 | <p><i>Associate</i>, Corporate Finance, Wood Gundy, Vancouver, Canada</p> <ul style="list-style-type: none"> • Dr. Bell participated in drafting the prospectus and in marketing the initial public offering of a sportswear manufacturer. |
| 1982–1985 | <p><i>Chartered Accountant</i>, Pannell Kerr Forster, Victoria, Canada</p> <ul style="list-style-type: none"> • Dr. Bell provided financial accounting, auditing, taxation, and related management consulting services, focusing on special projects involving accounting theory, financial forecasts, and business valuations. • He also developed a course to prepare the national firm's articling students for the uniform final examination, an examination required to receive the designation of chartered accountant. • Dr. Bell placed eighth in Canada on the 1983 uniform final examination and was named to national honor roll. |

Academic

- 1991–1992 *Visiting Assistant Professor*, Economics Department, Northeastern University
- Dr. Bell was responsible for undergraduate courses in industrial organization, managerial economics, and principles of microeconomics.
- 1991–1992 *Lecturer*, Economics Department, Harvard University
- Dr. Bell developed the senior-level undergraduate course, “Economics of Business Strategy.”
- Section Leader*, Economics Department, Harvard University
- Dr. Bell led sections in industrial organization.
- 1990–1991 *Research Associate*, Economics Department, Harvard University
- Dr. Bell conducted mergers and acquisitions analysis.
- 1982 *Research Assistant*, Economics Department, Simon Fraser University
- Dr. Bell performed capital markets analysis.

Publications

“Disputes in the Healthcare and Life Sciences Industry.” With G. Breen, J. Dressel, M. Frisby. *Corporate Disputes*. pp. 2–13. April–June 2016.

“Damages in the Pharmaceutical and Biotech Sector.” With I. Cockburn, C. Zayid. *Corporate Disputes*. pp. 4–14. April–June 2015.

“Managing Product Liability in the Pharma & Healthcare Sector.” With P. Wilkinson, C. Zayid, M. Parini. *Corporate Disputes*. pp. 5–15. January–March 2015.

“Pharma and biotech patent litigation.” With D. Schüssler-Langeheine, D. Nemec. *Corporate Disputes*. pp. 4–13. April–June 2014.

“Managing Dispute Resolution Strategy and Process.” With C. Duclercq, E. Bos. *Corporate Disputes*. pp. 3–14. July–September 2013.

“Corporate Livewire Round Table: Biotech and Pharmaceutical.” *Corporate Livewire*, June 2013.

“10 Questions: Quantification of Damages in Commercial Disputes.” *Financier Worldwide Limited*, pp. 2–4. June 2012.

“Expert Witnesses in Arbitration.” With M. Hammes, A. Yanos, J. Bédard. *Corporate Disputes*. pp. 2–13, *Financier Worldwide Limited*, October 2012.

“Global Pricing Strategies for Pharmaceutical Product Launches.” With P. Rankin and T. Wilsdon. Chapter 2 of *The Pharmaceutical Pricing Compendium*, pp. 13–23, Urch Publishing Ltd, 2003.

“Cost Implications of Low Molecular Weight Heparins as Prophylaxis Following Total Hip and Knee Replacement.” With S. Goldhaber. *Vascular Medicine*, February 2001.

"Economic Outcomes Analysis of Implantable Cardioverter Defibrillators." With M. Stanton. *Circulation*, March 2000.

"Clinical Realities and Economic Considerations: Economics of Intrathecal Therapy." With Samuel J. Hassenbusch et al. *Journal of Pain and Symptom Management*, September 1997.

"Cost-Effectiveness Analysis of Spinal Cord Stimulation in Treatment of Failed Back Surgery Syndrome." With D. Kidd and R. North. *Journal of Pain and Symptom Management*, May 1997.

"Irreversible Investments and Volatile Markets: A Study of the Chemical Processing Industry." With J. Campa. *Review of Economics and Statistics*, February 1997.

"Volatile Exchange Rates and the Multinational Firm: Entry, Exit, and Capacity Options." In L. Trigeorgis (ed.), *Real Options in Capital Investment*. Westport, CT: Praeger, 1995, pp. 163–181.

"Innovation in Cardiac Imaging." With S. Finkelstein and K. Neels. *Medical Innovation at the Crossroads*, Volume 5. Washington, DC: Institute of Medicine, National Academy Press, 1995, pp. 125–154.

"Illustrative Case Problem." With D. Wright. Chapter 13 in Deloris R. Wright, *US Transfer Pricing Guide: Practice and Policy*. CCH, 1995.

"Irreversible Investments and Volatile Exchange Rates: Theory and Evidence." PhD Thesis, Harvard University, 1992.

Presentations

"Reverse Payments." Panelist at Federal Bar Council on Continuing Legal Education (CLE), New York, NY, October 2014.

"A Pros and Cons Analysis of Launching At Risk and Survey of New Developments in Seeking Injunctive Relief and Damages." Panelist at American Conference Institute's 8th Annual Paragraph IV Disputes, New York, NY, April 2014.

"The Master Class on Settling Paragraph IV Disputes: Drafting and Negotiating Strategies for Brand-Names and Generics – A Hands-On, Practical Approach in the Aftermath of *Actavis*." Panelist at American Conference Institute's 8th Annual Paragraph IV Disputes, New York, NY, April 2014.

"Economic Perspectives on the PMPRB's Price Review Regime." 9th Annual Forum on Pharma Patents, Canadian Institute, Toronto, Canada, November 2010.

"Prejudgment Interest." Swedish Arbitration Association, Stockholm, Sweden, September 2010.

"Risk-sharing Contracts: Strategic and Practical Perspectives." Forum, NextLevel Pharma, Philadelphia, PA, October 2009.

"Innovation Strategy & IP." Licensing Executive Society (LES) Mini-Plenary. Panel chair at LES International Conference and LES (USA and Canada) Spring Meeting, Chicago, IL, May 2008.

"Damages: Lost Profits, Consequential Damages, Damages for Non-Patented Items, Best Practices for the Use of Experts." Panel participant for The Fifth Annual Sedona Conference on Patent Litigation, Sedona, AZ, October 2004.

"Patent Damages: Engineering and Regulatory Work-Arounds." Calculating and Proving Patent Damages, Law Seminars International, Reston, Virginia, June 14, 2004.

"Pricing Strategy and the Product Line." Pricex 2003, Chicago, IL, June 11, 2002.

"Reasonable Royalties for Emerging Technologies." Chaired Panel for The Third Annual Sedona Conference on Patent Litigation, Sedona, AZ, November, 2002.

"Does Price Matter? Pricing, Game Theory, and the Economics of Business Strategy." Pricex 2002, Chicago, IL, April 30, 2002.

"eCommerce and Strategy for the Pharmaceuticals Industry." Chairman for The Canadian National e-Pharma Summit II, Toronto, Canada, June 26–27, 2001.

"Exports and Flexible Production Technologies in Volatile International Markets." 4th Annual Conference on Real Options, Cambridge, UK, July 7–8, 2000.

"The Valuation of Oil Drilling Rights: A Real Options Case Study." 2nd Annual Conference on Real Options, Chicago, IL, June 11–12, 1998.

"Prejudgment Interest." Conference: Charles River Associates' Economists' Perspectives on Antitrust Today—Session: Topics in Calculating Damages, Boston, MA, April 30, 1998.

"Designing Licenses that Maximize Client Profits." American Intellectual Property Law Association Spring Meeting, Minneapolis, MN, April 23, 1998.

"Economics of Therapy." Nonmalignant Pain Management Roundtable, Memphis, TN, January 9, 1997.

"How to Structure Risk-Sharing Contracts to Put Teeth in Disease Management." Congress on Health Outcomes and Accountability, Washington, DC, December 10–13, 1995.

Balancing Low and High Risk Projects." Institute for International Research, Portfolio Planning & Management Conference, Philadelphia, PA, October 23–25, 1995.

"Capitated Pricing for Pharmaceuticals." Medical Marketing Association National Meeting, Monterey, CA, June 1995.

"Evaluating the Cost-Effectiveness of Pharmaceuticals." Anti-Rheumatic Guidelines and International Society for Rheumatic Therapeutics, Scottsdale, AZ, May 1995.

"The Role of Pharmacoeconomics in the Drug Approval Process." Anti-Rheumatic Guidelines and International Society for Rheumatic Therapeutics, Scottsdale, AZ, May 1995.

"Compliance with Section 482." With D. Wright. Institute for International Research, Practical Approaches to Transfer Pricing conference, New Orleans, LA, February 22–23, 1995.

"XYZ Corporation: A Case Study in Transfer Pricing." With D. Wright. Institute for International Research, Practical Approaches to Transfer Pricing conference, New Orleans, LA, February 22–23, 1995.

"Medtronic's Spinal Cord Stimulation Systems: Reimbursement and Marketing Strategy." Sloan School, Massachusetts Institute of Technology, Cambridge, MA, June 1993.

"Exports and Production Technology under Volatile Exchanges Rates." Stanford University, Stanford, CA, February 1992.

"Capacity and Volatile Exchange Rates: A Study of the Chemical Processing Industry." London Business School, London, United Kingdom, March 1991; University of Michigan, Ann Arbor, MI, March 1991; University of British Columbia, Vancouver, BC, February 1991; Kellogg School of Management, Northwestern University, Evanston, IL, January 1991.

Testimony

Expert report on behalf of Plaintiffs in *Shire Orphan Therapies LLC, et al. v. Fresenius Kabi USA, LLC*, (August 2017). United States District Court for the District of Delaware, Civil Action No. 1:15-cv-01102-GMS.

Expert report on behalf of Defendant Impax Laboratories, Inc. in *In Re Solodyn (Minocycline Hydrochloride) Antitrust Litigation* (June 2017). United States District Court for the District of Massachusetts, Civil Action No. 14-md-02503-DJC.

Expert report on behalf of Respondent in *Exelixis, Inc. v. Genentech, Inc.*, (May 2017). Judicial Arbitration and Mediation Services (JAMS), Reference No. 1100084603.

Expert report on behalf of Defendant in *In re: Celebrex (Celecoxib) Antitrust Litigation* (May 2017). United States District Court for the Eastern District of Virginia, Norfolk Division, Lead Case No. 2:14-cv-361.

Expert report on behalf of Plaintiffs in *Abbott Laboratories, et al. v. Adelpia Supply USA, et al.* (May 2017). United States District Court for the Eastern District of New York, Case No. 15-cv-5826 (CBA) (MDG).

Expert report and deposition on behalf of Defendant in *Amgen Inc., et al. v. Hospira, Inc.* (April, May 2017). United States District Court for the District of Delaware, Case No. 1:15-cv-00839-RGA.

Expert report and deposition on behalf of Defendant in *Phigenix, Inc. v. Genentech, Inc.* (June, April 2017). United States District Court for the Northern District of California, San Jose Division, Case No. 15-cv-01238-BLF.

Expert reports and deposition on behalf of Plaintiff in *Church & Dwight Co., Inc. v. SPD Swiss Precision Diagnostics, GmbH* (March, April, May 2017). United States District Court for the Southern District of New York, Case No. 1:14cv585 (AJN).

Expert report and deposition on behalf of Defendants in *In re: Lidoderm Antitrust Litigation* (June, March 2017). United States District Court, Northern District of California, Case No. 14-md-02521-WHO.

Expert report, deposition, and trial testimony on behalf of Plaintiffs in *Momenta Pharmaceuticals, Inc., et al. v. Amphastar Pharmaceuticals, Inc., et al.* (January, March, July 2017). United States District Court for the District of Massachusetts, Case No. 1:11-cv-11681-NMG.

Expert report and deposition on behalf of Plaintiffs in *Cadence Pharmaceuticals, Inc. et al. v. Innopharma Licensing LLC, et al.* (November, December 2016). United States District Court for the District of Delaware, C.A. No. 14-1225 (LPS) (CJB).

Expert reports, declaration and testimony on behalf of Claimant in *Nektar Therapeutics v. Allergan, Inc. and MAP Pharmaceuticals, Inc.*, (July, August 2016, January, May 2017). JAMS Arbitration No. 1100080769.

Expert report, deposition, and testimony on behalf of Plaintiff in *Kowa Company, Ltd. et al. v. Amneal Pharmaceuticals LLC, et al.* (July, November 2016, January 2017). United States District Court for the Southern District of New York, Civil Action Nos. 14-CV-2758 (PAC), 14-CV-2647 (PAC), 14-CV-2759 (PAC), 14-CV-2760 (PAC), 14-CV-5575 (PAC), 14-CV-7934 (PAC), 14-CV-3935 (PAC).

Expert reports and arbitration testimony on behalf of Plaintiffs in *Pernix Therapeutics Holdings, Inc. et al. v. Glaxo Group Limited, et al.*, (July, September, October 2016). International Chamber of Commerce. International Court of Arbitration No. 21285/RD.

Expert reports, deposition, and trial testimony on behalf of Plaintiff in *Teva Pharmaceutical Industries, et al. v. Dr. Reddy's Laboratories, et al.* (April, May, July, September, October 2016). United States District Court for the District of Delaware, Civil Action No. 14-1171-GMS (Consolidated).

Declaration and deposition on behalf of Acorda Therapeutics, Inc. in *Coalition for Affordable Drugs (Adroca) LLC v. Acorda Therapeutics, Inc.* (July, September 2016). United States Patent Trial and Appeal Board, IPR2015-01850, IPR2015-01853, IPR2015-01857, IPR2015-01858.

Deposition and hearing testimony on behalf of Barr Laboratories Inc., Hoechst Marion Roussel Inc., The Rugby Group Inc., and Watson Pharmaceuticals Inc. in *Cipro Cases I & II* (May, November 2016). Superior Court of the State of California, County of San Diego, JCCP Proceeding Nos. 4154 & 4220.

Expert report on behalf of Plaintiff in *Ferring International Center S.A. v. Solmedical S.A.S.* (April 2016). International Centre for Dispute Resolution, Case No. 01-15-0003-4195.

Expert reports, deposition, and trial testimony on behalf of Plaintiff in *Acorda Therapeutics, Inc., et al. v. Alkem Laboratories Ltd., et al.* (April, June, August, September 2016). United States District Court for the District of Delaware, Civil Action No. 14-882-LPS (Consolidated).

Expert reports and deposition on behalf of certain Defendant in *CelestialRx Investments, LLC v. Joseph J. Krivulka et al.* (February, July 2016). In the Court of Chancery of the State of Delaware, Civil Action No. 1173-VCG.

Expert report and deposition on behalf of defendant Bristol-Myers Squibb in *State of Wisconsin v. Abbott Laboratories, et al.* (October, November 2015). State of Wisconsin Circuit Court, Dane County, Branch 9, Case No. 04 CV 1709.

Expert reports and deposition on behalf of Plaintiffs in *Chiesi USA, Inc., et al. v. Sandoz Inc., et al.* (September, October, November 2015). United States District Court for the District of New Jersey, Civil Action No. 1:13-cv-05723-NLH-AMD.

Declaration, expert reports, and deposition on behalf of Defendant in *Monica Barba and Jonathan Reisman, et al. v. Shire U.S., Inc., et al.* (March 2014, August, September 2015). United States District Court for the Southern District of Florida, Miami-Dade Division, Case No. 1:13-cv-21158-CIV-LENARD/GOODMAN.

Expert reports on behalf of Plaintiffs in *Cornerstone Therapeutics Inc., et al. v. Exela Pharma Sciences, LLC, et al.* (July, September 2015). United States District Court for the District of Delaware, Civil Action No. 1:13-cv-01275-GMS.

Expert report and arbitration testimony on behalf of Defendant, Merus Labs International, Inc., in *LG Life Sciences, Ltd. v. Chiesi, USA, Inc. et al.*, (May, September 2015). International Chamber of Commerce. ICC Arbitration No. 20420/RD.

Declarations and arbitration testimony on behalf of Claimant in *Meda Pharmaceuticals, Inc. v. Apotex Inc., et al.* (May, September, December 2015). International Centre for Dispute Resolution of the American Arbitration Association, Case No. 01-14-0001-6315.

Expert reports on behalf of Defendant in *Leo Pharmaceutical Products Limited A/S vs. Sandoz BV* (May 2015, June 2016). District Court of The Hague.

Expert reports, deposition, and trial testimony on behalf of Plaintiffs in *Revolution Retail Systems, LLC., et al. v. Sentinel Technologies, Inc., et al.* (May, June 2015). In the Court of Chancery of the State of Delaware, C.A. No. 10605 – VCP.

Expert report on behalf of Defendants in *The University of Utah v. Max-Planck-Gesellschaft zur Förderung der Wissenschaften e. V., et al.*, (April 2015). United States District Court for the District of Massachusetts, Civil Action No. 1:11-cv-10484.

Expert report and deposition on behalf of Defendants in *United States of America ex rel. Susan Ruscher, et al. v. OmniCare, Inc., et al.*, (April, May 2015). United States District Court, Southern District of Texas Houston Division, Civil No. 08-3396.

Expert report and deposition on behalf of Plaintiffs in *Reckitt Benckiser Pharmaceuticals, et al. v. Watson Laboratories, et al.*, (April, June 2015). United States District Court for the District of Delaware, Case No. 13-cv-1674-RGA; 1:14-cv-0422-RGA.

Expert report on behalf of Defendants in *Allergan USA, Inc. et al. v. Medicis Aesthetics, Inc. et al.*, (March 2015). United States District Court for the Central District of California, Civil Action No. SACV13-01436 AG (JPRx).

Expert report on behalf of Defendants in *Warner Chilcott Company, LLC et al. v. Teva Pharmaceuticals USA, Inc. et al.* (March 2015). United States District Court for the District of New Jersey, Civil Action No. 11-6936 (SRC) (CLW).

Expert report and deposition on behalf of Plaintiffs in *Innovation Ventures, LLC, Living Essentials, LLC and International IP Holdings, LLC v. Ultimate One Distributing Corp., et al.* (February, March 2015). United States District Court for Eastern District of New York, Civil Action No. 1-12-cv-5354 (KAM) (RLM).

Expert report, deposition, and trial testimony on behalf of Plaintiff in *Endo Pharmaceuticals v. Impax Laboratories* (December 2014, February 2015, April 2015). United States District Court, Southern

District of New York, Civil Action Nos. 12-cv-8060-TPG, 12-cv-8115-TPG, 12-cv-8317-TPG, 12-cv-8318-TPG, 12-cv-8985-TPG, 12-cv-9261-TPG, 13-cv-435-TPG, 13-cv-436-TPG, 13-cv-3284-TPG, 13-cv-3288-TPG, 13-cv-4343-TPG, 13-cv-8597-TPG.

Hearings as a court-appointed expert in the matter of *Arrow Generics Limited v. Teva Czech Industries s.r.o.* (December 2014). Vienna Commercial Court, Case No. 12 Cg 38/05s.

Expert report and deposition on behalf of Plaintiff in *Theravectys SA v. Immune Design Corp.* (November, December 2014). Court of Chancery of the State of Delaware, Civil Action No. 9950-VCN.

Expert report on behalf of Respondent in *Progenics Pharmaceuticals, Inc. v. Ono Pharmaceutical Co. Ltd.* (July 2014). International Centre for Dispute Resolution of the American Arbitration Association, Case No. 50 122 T 01005 13.

Expert reports and testimony on behalf of Claimant in *Paul Gremillion, et al. v. HealthEdge Investment Fund, L.P., et al.* (June, September 2014). American Arbitration Association, Atlanta, Georgia, Claim No. 30 193 Y 00199 12.

Expert report on behalf of Plaintiff in *Zogenix, Inc. v. State of Massachusetts* (June 2014). United States District Court of Massachusetts, Civil Action No. 14-11689-RWZ.

Expert reports and testimony on behalf of Defendants in *Sanofi K.K. v. Novartis Pharma K.K.*, (May, December 2014, February, April 2015). International Court of Arbitration of the International Chamber of Commerce, ICC Arbitration Case No. 19250/CYK.

Expert report and deposition on behalf of Plaintiffs in *Galderma Laboratories L.P., et al. v. Actavis Mid Atlantic LLC*. (April 2014). United States District Court for the Northern District of Texas, Dallas Division, Civil Action No. 3:12-cv-02038-K.

Expert report and deposition on behalf of Plaintiff in *Enzo Biochem, Inc. v. Affymetrix, Inc.* (March, April 2014). United States District Court, Southern District of New York, Civil Action No. 03-CV-5446 (JES).

Expert reports and deposition on behalf of Plaintiff in *Enzo Biochem, Inc. v. PerkinElmer, Inc.* (January 2014). United States District Court, Southern District of New York, Civil Action No. 03-cv-03817 (JES).

Expert report and deposition on behalf of Plaintiffs in *Cadence Pharmaceuticals, Inc. et al. v. Fresenius Kabi USA, LLC et al.* (January, March 2014). United States District Court for the Southern District of California, C.A. No. 3:13-cv-00139.

Expert reports and Declaration on behalf of Defendant in *Leon Khasin et al. v. The Hershey Company*. (January, April, June 2014). United States District Court Northern District of California, Case No. 12-cv-01862 EJD.

Expert reports and deposition on behalf of Plaintiff in *GlaxoSmithKline LLC v. Genentech, Inc.* (October, December 2013, January 2014). United States District Court for the District of Delaware, Civil Action No. 10-799-GMS.

Declaration of behalf of Cadence Pharmaceuticals, Inc. and SCR Pharmatop regarding Reexamination of U.S. Patent No. 6,028,222 (November 2013) before United States Patent and Trademark Office.

Expert report and deposition on behalf of Defendants in *Cardionet, Inc. et al. v. Mednet Healthcare Technologies, Inc., et al.* (September, October 2013). United States District Court for the Eastern District of Pennsylvania, Case No. 12-CV-2517 (JS).

Expert reports and deposition on behalf of Defendants in *Nexium (Esomeprazole) Antitrust Litigation*. (September, November, December 2013). United States District Court for the District of Massachusetts, MDL No. 2409, Civil Action No. 1:12-md-2409.

Expert report and deposition on behalf of Plaintiffs in *Takeda Pharmaceutical Company Limited et al. v. Mylan Inc. et al.* (June, November, December 2013). United States District Court Southern District of New York, ECF Case, Civil Action No. 12-CIV-0024 (DLC).

Expert reports, deposition, and trial testimony on behalf of Plaintiffs in *Cadence Pharmaceuticals, Inc. and SCR Pharmatop v. Exela Pharma Sciences, LLC, et al.* (April, June, July 2013). United States District Court for the District of Delaware, C.A. No. 11-733-LPS.

Expert reports, deposition, and testimony on behalf of Defendant in *Napo Pharmaceuticals, Inc. v. Salix Pharmaceuticals, Inc.* (March, April 2013, February 2014). Supreme Court of the State of New York, County of New York, Commercial Division, Index No. 651214/2011.

Expert report on behalf of Defendants in *Luis Lerma and Nick Pearson, et al, v. Schiff Nutrition International, Inc., et al.* (March 2013). United States District Court, Southern District of California, Case No.: 11-CV-1056-CAB(MDD).

Expert report and deposition on behalf of Defendants in *Dr. Reddy's Laboratories et al. v. MDS, Inc. et al.* (September 2012, January 2013). United States District Court of New Jersey, Civil Action 09-2398 (AET).

Expert report on behalf of Defendant in *ThyssenKrupp Companhia Siderurgica do Atlantico v. CITIC Group* (July 2012), Arbitral Tribunal, ICC Case No. 17894/JRF/CA.

Expert reports, deposition, and trial testimony on behalf of Defendant in *Tyco Healthcare Group LP et al. v. Ethicon Endo-Surgery, Inc.* (March, April, June, July 2012). United States District Court for the District of Connecticut. Civil Action No. 3:10cv00060 (JBA).

Expert reports on behalf of Respondent in *Genentech, Inc. v. UCB Celltech* (March, April 2012). American Arbitration Association, Case No. 50 122 T 00051 11.

Expert reports and deposition on behalf of Defendants in *Astellas US LLC et al. v. Fougera Pharmaceuticals Inc. f/k/a Nycomed US Inc.* (February, April, May 2012). United States District Court, District of New Jersey, Civil Action No. 10-cv-5599 (WJM) (MF) consolidated with No. 10-cv-6326).

Expert reports and deposition on behalf of Defendant in *Impax Laboratories, Inc. v. Shire LLC et al.* (November, December 2011, January 2012). United States District Court, Southern District of New York, Case No. 1:10-CV-08386 (MGC).

Expert report and deposition on behalf of Defendant in *Rembrandt Vision Technologies, L.P. v. Johnson & Johnson Vision Care, Inc.*, (November 2011). United States District Court, Middle District of Florida, Jacksonville Division, Case No. 3:11-cv-0819-J-32-JRK.

Expert report, deposition, and hearing testimony on behalf of Defendants in *State of Louisiana v. Abbott Laboratories, Inc., et al.*, Suit No. 596164, consolidated with *State of Louisiana v. McKesson Corporation*, Suit No. 597634 (August, September 2011). 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana.

Expert reports, depositions, and testimony on behalf of the Generic Defendants in *King Drug Company of Florence, Inc., et al. v. Cephalon, Inc., et al.* (June, August 2011, December 2013, January, February 2014, June 2017). United States District Court for the Eastern District of Pennsylvania, Civil Action No. 06-cv-1797.

Expert report on behalf of Defendant in *Leo Pharma A/S and Leo Laboratories Limited v. Sandoz Limited* (April 2011). High Court of Justice, Chancery Division, Patents Court, HC 08 C00391.

Expert reports and arbitration testimony on behalf of Defendants in *Mitsubishi Tanabe Pharma Corporation (Japan) v. Centocor Ortho Biotech, Inc. (USA)*, (January, March, October, November 2011, April, June 2012). International Court of Arbitration, Case No. 16048/VRO.

Expert reports and arbitration testimony on behalf of Defendant in *MDS (Canada) Inc. v. Atomic Energy of Canada Limited* (November 2010, April 2011, October 2011). Arbitration, Toronto, Canada.

Expert report and trial testimony on behalf of Bristol-Myers Squibb in *Commonwealth of Pennsylvania v. TAP Pharmaceutical Products, Inc., et al.* (August, September 2010). Commonwealth Court of Pennsylvania, No. 212 MD 2004.

Expert report and deposition on behalf of Plaintiffs in *King Pharmaceuticals, Inc., et al. v. Purdue Pharma L.P.*, (June, July 2010). United States District Court for the Western District of Virginia, Abingdon Division, Civil Action No. 1:08-CV-50-JPJ-PMS.

Declaration and deposition on behalf of Pfizer, Inc. in *In Re Neurontin Antitrust Litigation* (May 2010, October 2010). United States District Court, District of New Jersey, MDL Docket No. 1479 (FSH), Master Docket No. 02-CV-1390.

Expert report and deposition on behalf of Plaintiffs in *Takeda Pharmaceutical Company Limited et al. v. Teva Pharmaceutical Industries, Ltd., et al.* (May 2010, June 2010). United States District Court Southern District of New York, Civil Action No. 4655.

Expert report and deposition on behalf of Plaintiffs in *Takeda Chemical Industries, Ltd., et al. v. Ranbaxy Pharmaceuticals, et al.* (March, June 2010). United States District Court Southern District of New York, Civil Action Nos. 03 CIV 8250 (DLC), 03 CIV 8253 (DLC), and 03 CIV 8254 (DLC).

Expert reports on behalf of Plaintiffs in *SmithKline Beecham Corporation, et al. v. Apotex Corporation, et al.* (December 2009, January 2010). United States District Court for the Eastern District of Pennsylvania, Civil Action No. 99-CV-4304.

Expert report, deposition, and trial testimony on behalf of Plaintiffs/Counterdefendants in *Underwriters at Lloyd's London v. Abbott Laboratories* (December 2009, February 2010, February 2013), Circuit Court of Cook County, Illinois County Department, Chancery Division, No. 03 CH 9307.

Expert report, deposition, and trial testimony on behalf of Plaintiffs in *Mitsubishi Chemical Corporation, et al. v. Barr Laboratories, et al.* (May 2009, July 2009, February 2010). United States District Court for the Southern District of New York, Civil Action No. 07 CV 11614.

Affidavits and hearing testimony on behalf of Respondent in the matter of *ratiopharm Inc. and the Medicine "ratio-salbutamol HFA"* (April, December 2009, April 2010). Patented Medicine Prices Review Board, Ottawa, Canada.

Declaration on behalf of Defendants regarding *State of Hawaii v. Abbott Laboratories Inc. et al.* (March 2009). In the Circuit Court of the First Circuit, State of Hawaii, Civil Action No. 06-1-0720-04 EEH.

Expert reports and arbitration testimony on behalf of Defendant in *Monsanto Company and Monsanto International Sàrl v. Sandoz GmbH* (March, December 2009, October 2010), Arbitral Tribunal, ICC Case No. 15117/JHN.

Expert report and deposition on behalf of Defendant in *Invesco Institutional (N.A.), Inc. v. Deutsche Investment Management Americas* (February, April 2009). Supreme Court of the State of New York, County of New York, Index No. 650154/2007, Part 39.

Declaration on behalf of Defendant in *AstraZeneca v. Ivax Pharmaceuticals, Inc.* (November 2008). United States District Court for the District of New Jersey, Civil Action No. 05-5142 (RMB)(AMD).

Declarations on behalf of Defendant in *Eli Lilly and Company v. Teva Pharmaceuticals USA, Inc.* (October 2008, February 2009). United States District Court, for the Southern District of Indiana, District of Columbia, Case Number 1:06-cv-1017-SEB-JMS.

Expert report and deposition on behalf of Plaintiff in *Intervet Inc. v. Merial Limited and Merial SAS* (August, October 2008). United States District Court, for the District of Columbia, Civil Action No. 1:06-cv-00658 (HHK-JMF).

Expert report and deposition on behalf of Defendants in *The Boston Company Asset Management, LLC v. Remi Browne, et al.* (May, July 2008). Commonwealth of Massachusetts, Superior Court Department of the Trial Court, Suffolk, ss., Civil Action No. 07-3656 BLS2.

Declaration on behalf of Defendants in *Gregory Clark and Linda Meashey, et al. v. Pfizer, Inc. et al.* (May 2008). Court of Common Pleas of Philadelphia County, First Judicial District of Pennsylvania, Civil Trial Division, June TERM, 2004/No. 1819.

Expert report and deposition on behalf of Defendant in *Synthes (USA) v. Smith & Nephew* (May, August 2008). United States District Court, Eastern District of Pennsylvania, Civil Action No. 03CV0084.

Declarations on behalf of Pfizer, Inc. *In Re Neurontin Marketing, Sales Practices, and Products Liabilities* (March, December 2008). United States District Court, District of Massachusetts, MDL Docket No. 1629, Master File No. 04-10981.

Expert report, deposition, and trial testimony on behalf of Plaintiffs in *Aventis Pharmaceuticals Inc. and sanofi-aventis US LLC v. Barr Laboratories, Inc.* (January, February, May 2008). United States District Court for the District of Delaware, Civil Action No. 06-286 (GMS).

Expert report on behalf of Respondent in *Amgen Inc. v. F. Hoffmann-La Roche Ltd* (January 2008). Arbitral Tribunal, ICC No. 14826.

Expert report and trial testimony on behalf of Plaintiff in *Church & Dwight Co., Inc. v. Abbott Laboratories* (August, October 2007, January, February 2008). United States District Court for the District of New Jersey, Civil Action No. 05 CV 2142 (GEB).

Affidavit and deposition on behalf of Defendants in the matter of *State of Wisconsin v. Amgen Inc., et al.* (July, August 2007). State of Wisconsin Circuit Court, Dane County, Case No. 04 CV 1709.

Expert report and deposition on behalf of Barr Pharmaceuticals, Inc., in *Meijer, Inc., et al. v. Warner Chilcott Holdings Company III, LTD., et al.* (June, August 2007). United States District Court for the District of Columbia, Civil Action Nos: 05-2195 (CKK), 06-00494 (CKK), and 06-00795 (CKK).

Declaration on behalf of Teva Pharmaceuticals in the matter of *Abbott Laboratories et al. v. Sandoz, Inc. et al.* (April 2007). United States District Court for the Northern District of Illinois Eastern Division, No. 07-CV-1721.

Expert reports, deposition, and trial testimony on behalf of Plaintiff in *Enzo Biochem, Inc. v. Applera Corp. et al.* (February, March, April 2007, October, December 2012). United States District Court, District of Connecticut, Civil Action No. 3-04-CV-929(JBA).

Merits report and declarations on behalf of Defendants regarding the states of Montana (CV-02-09-H-DWM) and Nevada (02-CV-00260-ECR) in *Pharmaceutical Industry Average Wholesale Price Litigation* (February, May 2007). United States District Court, District of Massachusetts, MDL No. 1456, Civil Action No. 01-CV-12257-PBS.

Affidavit, expert report, and hearing testimony on behalf of Respondent in the matter of *Warren Lammert, et al.* (January, September, November 2007). United States of America, Securities and Exchange Commission, Administrative Proceeding, File No. 3-12386.

Affidavit and hearing testimony on behalf of Respondent in the matter of *Teva Neuroscience G.P. - S.E.N.C. and the medicine "Copaxone"* (January, February 2007). Patented Medicine Prices Review Board, Ottawa, Canada.

Expert reports on behalf of Barr Pharmaceuticals, Inc., et al. in *Federal Trade Commission and State of Colorado v. Warner Chilcott Holdings Company III, LTD., et al.* (December 2006, January 2007). United States District Court for the District of Columbia, Civil Action Nos: 05-2179 (CKK) and 05-2182 (CKK).

Expert report and deposition on behalf of MedImmune, Inc. in *Biosynexus, Inc. v. Glaxo Group Limited and MedImmune, Inc.* (November 2006, January 2007). Supreme Court of the State of New York, County of New York, Index No. 604485/05.

Expert report on behalf of Plaintiffs in *TAP Pharmaceutical Products, Inc., et al. v. Atrix Laboratories, Inc., et al.* (October and November 2006). United States District Court, Northern District of Illinois, Case No. 03-C-7822.

Affidavit on behalf of Defendants in *State of Alabama v. Abbott Laboratories, Inc., et al.* (September 2006). Circuit Court of Montgomery County, Alabama, Civil Action No. 2005-219.

Expert report on behalf of Plaintiffs in *GlaxoSmithKline Holdings (Americas) Inc. et al. v. Commissioner of Internal Revenue* (August 2006). United States Tax Court, Docket Nos. 5750-04 and 6959-05.

Expert report and arbitration testimony on behalf of Respondent in *Roche Diagnostics GmbH v. SmithKline Beecham Pharma GmbH & Co. KG* (July, November 2006). ZCC Arbitration No. 516.

Affidavit on behalf of Pharmacia Corporation in *State of Connecticut v. Pharmacia Corporation* (May 2006). Superior Court of Connecticut, Complex Litigation Docket at Tolland, Docket No. X07-CV-03 0083297S.

Affidavit on behalf of Defendants in *State of Connecticut v. Roxanne Laboratories, et al.* (May 2006). Superior Court of Connecticut, Complex Litigation Docket at Tolland, Docket No. TTD-X07-CV-03 0083296S.

Expert report and deposition on behalf of Defendant in *Affinion Loyalty Group, Inc. v. Maritz, Inc.* (April 2006). United States District Court, District of Delaware, Civil Action No. 04-360.

Expert report, affidavit, and trial testimony on behalf of Bristol-Myers Squibb in *Pharmaceutical Industry Average Wholesale Price Litigation* (March, November, December 2006). United States District Court, District of Massachusetts, Civil Action No. 01-CV-12257-PBS.

Expert report and deposition on behalf of Plaintiff in *LoJack Corporation v. Clare, Inc.* (December 2005, January 2006, March 2006). Commonwealth of Massachusetts Superior Court, Civil Action No. 03-00627.

Expert report and deposition on behalf of Defendant in *PHT Corporation v. Invivodata, Inc.* (November, December 2005). US District Court of Delaware, C.V. No. 04-60 GMS.

Expert report and deposition on behalf of Defendant in *PHT Corporation v. CRF, Incorporated* (November, December 2005). US District Court of Delaware, C.V. No. 04-61 GMS.

Expert reports and trial testimony on behalf of Defendant in *Her Majesty The Queen v. GlaxoSmithKline* (October 2005, January, April 2006). Tax Court of Canada, Court File No. 98-712(IT)G.

Expert report and deposition on behalf of Plaintiffs in *IVPCare, Inc. v. Harvard Pilgrim Health Care, Inc.* (October, November 2005). Superior Court Department of the Trial Court, Commonwealth of Massachusetts, Civil Action No. 03-5058-BLS.

Expert reports and deposition on behalf of Plaintiffs in *Pharmacia & Upjohn Company, LLC v. Sicom Inc., et al.* (September 2005, February, April, October 2006). US District Court of Delaware, C.A. No. 04-833 (KAJ).

Expert reports and deposition on behalf of Defendant in *Applera Corporation et al. v. Wyeth, Inc.* (August, September, October 2005). Circuit Court for Montgomery County, Maryland, Civil Action No. 242761.

Expert reports and deposition on behalf of Defendant Medco Health Solutions, Inc., et al. in *US Government v. Merck-Medco et al.* (August, September, October, November 2005). US District Court, Eastern District of Pennsylvania, No. 00-CV-737.

Expert reports and deposition on behalf of Defendant FMC Corporation in *Microcrystalline Cellulose Antitrust Litigation* (April, May, June 2005). US District Court, Eastern District of Pennsylvania, Master File No. 01-CV-111 (O'Neill, J.) MDL No. 1402.

Expert report on behalf of Defendants in *Robert J. Swanston v. TAP Pharmaceutical Products, Inc., et al.* (February 2005). Superior Court of the State of Arizona in and for the County of Maricopa, Cause No. CV2002-004988.

Expert reports on behalf of Claimant in *Joint Services International, B.V. v. O'Neill, Inc.* (January, April 2005). London Court of International Arbitration (LCIA), LCIA Arbitration No. 3513.

Expert report and deposition on behalf of Defendants in *RoseMarie Ryan-House, et al. v. GlaxoSmithKline, et al.* (December 2004). United States District Court, Eastern Division of Virginia, Civil Action No. 2:02cv442.

Expert reports, tutorial, affidavit, and testimony on behalf of Fast Track Defendants in *Pharmaceutical Industry Average Wholesale Price Litigation* (December 2004 and March, November, December 2006). United States District Court, District of Massachusetts, Civil Action No. 01-CV-12257-PBS.

Expert report and deposition on behalf of Plaintiff in *Yangtze Optical Fibre and Cable Company LTD. v. Lucent Technologies Inc.* (November 2004, March 2005). United States District Court, District of Massachusetts, Civil Action No. 03CV11413EFH.

Expert report and deposition on behalf of Defendants in *Medtronic Vascular, Inc. v. Boston Scientific Corporation, et al.* (July, August 2004). United States District Court, District of Delaware, Civil Action No. 98-478 SLR.

Expert report and deposition on behalf of Mylan Laboratories, Inc., et al. in *Lorazepam & Clorazepate Antitrust Litigation* (May, June 2004). United States District Court, District of Columbia, MDL No. 1290 (TFH).

Affidavit on behalf of Novopharm Limited in *Pfizer Canada et al. v. The Minister of Health and Novopharm Limited* (May 2004). Federal Court, Court File No. T-2448-03.

Expert report and deposition on behalf of Bayer AG and Bayer Corporation in *Ciprofloxacin Hydrochloride Antitrust Litigation* (April, May 2004). United States District Court, Eastern District of New York, Master File No. 1:00-MD-1383.

Affidavit and testimony on behalf of Novopharm Limited in *Merck & Co et al. v. The Minister of Health and Novopharm Limited* (April, August 2004). Federal Court, Court File No. T-1627-03.

Expert report and deposition on behalf of Defendants in *Corning Incorporated et al. v. SRU BioSystems et al.* (April, May 2004). United States District Court, District of Delaware, Civil Action No. 03-633-JJF.

Expert reports and arbitration testimony on behalf of Respondent in *Roche Diagnostics GmbH v. SmithKline Beecham (Cork) Ltd* (January, April, July 2004). ZCC Arbitration No. 362.

Expert report and arbitration testimony on behalf of Claimant in *Hans-Werner Hector v. The Bank of America Corporation et al.* (January, April 2004). American Arbitration Association.

Expert report on behalf of Plaintiff in *Enzo Biochem, Inc. v. Gen-Probe, Inc. et al.* (December 2003). United States District Court, Southern District of New York, Civil Action No. 99-4548 (AKH).

Expert report on behalf of Defendants in *Truitt Enterprises et al. v. Union Security Life Insurance Company et al.* (November 2003). United States District Court, District of Maryland (Northern Division), Civil Action No. 03-1422.

Expert report and deposition on behalf of Plaintiffs in *DataSafe, Inc. et al. v. Federal Express Corporation et al.* (August 2003, January 2004). Commonwealth of Massachusetts, Superior Court Department, Civil Action No. 01-2590.

Expert report on behalf of Plaintiff in *SmithKline Beecham Animal Health Inc. v. Her Majesty The Queen* (July 2003). The Court of Queen's Bench, File No. 95-1077 (IT) G.

Expert report on behalf of Bayer Corporation in *Cipro Cases I & II* (June 2003). Superior Court of the State of California, County of San Diego, JCCP. Proceeding Nos. 4154 and 4220.

Expert reports and deposition on behalf of Defendants in *Johnson Matthey Inc. v. Research Corporation, et al.* (March, April 2003). United States District Court, Southern District of New York, Case No. 01-CV-8115 (MBM).

Expert report and deposition on behalf of Defendants in *Anne Cunningham, et al. v. Bayer AG, et al.* (March, April 2003). Supreme Court of the State of New York, County of New York, Index No. 603820-00.

Expert report and deposition on behalf of Defendants in *Tyco Adhesives LP v. Olympian Tape Sales, Inc. et al.* (August, October 2002). United States District Court, District of Massachusetts, Civil Action No. 00-11965-NG.

Expert reports, deposition, and trial testimony on behalf of Plaintiff in *Star Scientific v. R.J. Reynolds Tobacco Company* (January, March 2003, October 2004, March 2009, June 2009). United States District Court for the District of Maryland, Southern Division, Case No. AW 01-CV-1504/AW 02-CV-2504 and Civil Action No. MJG-01-CV-1504.

Expert report on behalf of Defendant in *Cook Incorporated v. Boston Scientific Corporation* (August 2002). United States District Court for the Northern District of Illinois, Eastern Division, Civil Action No. 01-CV-9479.

Deposition and trial testimony on behalf of Defendants in *Engelhard Corporation v. Research Corporation, et al.* (July, October 2002). Supreme Court of the State of New York, County of New York, Index No. 601847/98.

Expert report and arbitration testimony on behalf of Plaintiffs in *Biovail Laboratories Incorporated v. Mylan Pharmaceuticals, Inc.* (July 2002, January 2003). American Arbitration Association, Case No. 50T13329601.

Expert reports and deposition on behalf of Plaintiffs in *Novartis Consumer Health, Inc. v. Elan Transdermal Technologies et al.* (June, July, August 2002). United States District Court Southern District of Florida, Miami Division, Civil Action No. 01-1120-CIV-MOORE.

Expert report on behalf of Defendants in *Frederick F. Buechel, MD and Michael J. Pappas, PhD v. John N. Bain, John G. Gilfillan, III et. al.* (March 2002). Supreme Court of the State of New York County of New York, No. 106963/95.

Expert reports and deposition on behalf of Defendants in *National Rural Electric Cooperative Association et al. v. Breen Capital Services Corporation et al.* (February 2002, October 2004). United States District Court of New Jersey, Civil Action No. 2:00cv00722.

Expert report on behalf of Plaintiff in *Aesculap AG & Co. et al. v. Walter Lorenz Surgical, Inc.* (November 2001). United States District Court for Northern District of California, No. C00-02394-MJJ.

Certification on behalf of Defendants in *Louise Garretson et al. v. CSFBTLC Trust II et al.* (October 2001). United States Superior Court for the District of New Jersey, No. HUD-L-3117-00.

Expert report and arbitration testimony on behalf of Respondent in *N.M.T. Medical, Inc. v. C.R. Bard, Inc.* (April 2001). American Arbitration Association, AAA Case No. 11 199 00973 00.

Expert report and arbitration testimony on behalf of Claimant in *Boston Scientific Corp. et al. v. Medtronic AVE, Inc.* (March and April 2001). American Arbitration Association, AAA File No. 50 T 133 00307 00.

Expert report and deposition on behalf of Defendants in *DuPont Pharmaceuticals, et al. v. Molecular Biosystems, Inc., et al.* (January and February 2001). United States District Court for the District of Delaware, Civ. No. 99-273 (JJF).

Expert reports on behalf of Defendant in *Sawgrass Systems, Inc., v. BASF Corporation* (December 2000, January 2001). United States District Court for the District of South Carolina, Civ. 2:98-3574-11 and 2:99-912-1.

Expert reports and deposition on behalf of Plaintiffs in *Apothecon, Inc., et al. v. Barr Laboratories, Inc., et al.* (November 2000, April 2001, June 2005, January, February, March 2006). United States District Court for the District of Southern New York, No. 98 Civ. 0861 (RWS) and No. 99 Civ. 3687 (RWS).

Expert report on behalf of Plaintiff in *Wold Trona Company, Inc. v. SNC-Lavalin America, Inc., et al.* (October 2000). United States District Court for the District of Wyoming, Civ. No. 00CV-1008B.

Expert reports, deposition, and trial testimony on behalf of SciMed Life Systems, Inc., and Boston Scientific Corporation in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc., et al.* (August, November, and December 2000). United States District Court for the District of Delaware, Civ. No. 97-550-SLR.

Expert reports and deposition on behalf of Defendant in *Cordis Corporation v. Boston Scientific Corporation and SciMed Life Systems Inc.* (August and November 2000). United States District Court for the District of Delaware, Civ. No. 98-197-SLR.

Expert report and deposition on behalf of Defendants in *Advanced Cardiovascular Systems, Inc. and Guidant Sales Corporation v. SciMed Life Systems, Inc. and Boston Scientific Corporation* (November and December 1999). United States District Court for the District of Indiana, IP 98-1108-C-H/G.

Affidavit on behalf of Defendants in *Apotex Fermentation Inc. and Apotex Inc. v. Novopharm Ltd. et al.* (October 1999). The Court of Queen's Bench, File No. CI 93-01-73733.

Expert report and deposition on behalf of Bausch & Lomb, Inc., in *Disposable Contact Lens Antitrust Litigation* (July 1999, August 1999). United States District Court for the District of Florida, 94-MDL 1030-J-20A.

Expert reports and trial testimony on behalf of Defendants in *Unilever PLC et al. v. Procter & Gamble Inc. et al.* (January 1999, December 1999). Federal Court of Canada, T-2534-85.

Expert report for mediation submitted on behalf of Breen Capital in *City of Jersey City v. Breen Capital* (December 1998). Superior Court of New Jersey, C-57-98.

Expert reports, deposition, and trial testimony on behalf of Plaintiff in *Braintree Laboratories, Inc., v. Nephro-Tech, Inc., et al.* (November 1998, September 1999, June 1999, October 1999). United States District Court for the District of Kansas, 96-CV-2459.

Expert report on behalf of Defendant in *Ethicon Inc. and Johnson & Johnson Consumer Products Inc. v. Artegraft, Inc.* (September 1998). American Arbitration Association, File 18-199-00136-96.

Expert report and deposition on behalf of Defendant in *The Dow Chemical Corporation v. Astro-Valcour, Inc.* (June 1998, July 1998). United States District Court for the Northern District of New York, 95-CV-1357.

Expert reports and deposition on behalf of Defendant in *Emory University v. Glaxo Wellcome* (February 1998, August 1998, September 1998). United States District Court for the Northern District of Georgia, 96-CV-1754.

Expert reports and deposition on behalf of Defendant in *Emory University v. Glaxo Wellcome* (November 1997, March 1998, April 1998). United States District Court for the Northern District of Georgia, 96-CV-1868.

Expert reports on behalf of Defendant in *Johnson & Johnson v. American Home Products* (June 1996). United States District Court for the Eastern District of Pennsylvania, 94-CV-1388.

Trial testimony on behalf of Defendants in *Genentech, Inc. v. Novo Nordisk A/S et al.* (May 1996). United States District Court for the Southern District of New York, 96-CV-1755.

Consulting projects

Antibiotics

- Pricing and managed care strategy to support launch of quinolone. Market research with managed care and physicians.
- Evaluation of European reimbursement environment for launch of quinolone.
- Managed care strategy for quinolone. Market research with managed care.
- Pricing and managed care strategy to support launch of ketolide. Market research with managed care and physicians.

Blood products

- Cost-effectiveness study for anti-clotting product.
- Strategy for anti-anemia product as it faces competing entry. Market research with managed care, physicians, hospitals, and patients. Address new Medicare policies regarding ASP and CAP.
- Pricing and managed care strategy for anti-clotting product facing competing entry. Market research with managed care and physicians.
- Reimbursement issues for clotting factor.
- Assessment of tender contagion issues in a global market.
- Assessment of global pricing policy,

Cardiovascular products

- Managed care contracting strategy for statins. Market research with physicians.
- Capitated pricing strategy for statins.
- Pricing and managed care strategy to support global launch of a new class of cardiovascular products for the treatment of hypertension and heart failure. Markets include US, Canada, and Europe. Market research with managed care and physicians.
- Managed care strategy for anti-platelet product.
- Opportunity assessment for cardiac rehabilitation program.
- Managed care simulation for novel anti-coagulant.
- Strategic option assessment and pricing and managed care strategy to support US launch of new hypercholesterolemia product. Market research with payers and physicians.

CNS products

- Pricing and managed care strategy to support launch of prescription pain product. Market research with managed care, physicians, and patients.
- Managed care strategy to support dissolving formulation of anti-psychotic.
- Strategy review for Alzheimer's product.
- Managed care strategy for insomnia product facing competitive entry. Market research with managed care.
- Managed care strategy and sales force training to support launch of depot formulation of anti-psychotic. Market research with managed care.
- Managed care strategy to protect opioid analgesic business as product goes generic. Market research with managed care and physicians.
- Managed care strategy to support franchise products for the prevention and treatment of migraines.

- Managed care strategy to support anti-psychotic franchise confronting competing entry, generic penetration, and preparation for launch of second-generation product. Market research with managed care.
- Pricing and managed care strategy to support the launch of a long-acting opioid. Market research with managed care, physicians, and patients.
- Opportunity assessment for new patch product for Alzheimer's disease. Markets include US and Europe. Market research with managed care, physicians, and care-givers.
- Managed care strategy to support the launch of a new addiction treatment product.

Dermatology

- Pricing and managed care strategy to support the launch of a prescription facial hair removal product.
- Launch strategy for a psoriasis treatment. Market research with managed care and physicians.
- Comprehensive review of pricing and contracting strategy across all channels. Market research with payers.
- Development of at-risk contracting strategy.

Endocrinology

- Managed care strategy to support the launch of extended-release and combination diabetes products. Market research with managed care.
- Pricing and managed care strategy to support launch of menopause product. Market research with managed care and physicians.
- Pricing and managed care strategy to support launch of an orphan drug product for Gaucher's disease. Market research with managed care, physicians, and patients.
- Advise on global pricing for growth hormone anticipating competitive entry.
- Evaluation of managed care and Medicaid contracting strategy and performance for a diabetes portfolio.
- Global pricing and product positioning strategy for blood glucose monitoring systems.
- Opportunity assessment regarding natural and analog insulins.

Gastro-intestinal products

- Cost-effectiveness study of GI impact of NSAIDs.
- Capitated pricing strategy for H2 antagonists.
- Managed care strategy and sales force training to support the launch of PPI. Market research with managed care and physicians.
- Capitated pricing strategy for PPI.
- Impact of launch of competing PPI. Market research with managed care and physicians.

Charles River Associates

- Impact of PPI going generic.

Nutritionals

- Value of government (WIC) contracts in the infant formula business. Study covered all aspects of consumer behavior and all aspects of manufacturing and distribution, including shelf facings at drug stores, mass merchandisers, and super-markets. Market research focused on purchasing and consumption behavior.
- Advise on bid pricing strategy for government contracts.
- Advise on likely exit strategy of competitor.
- Optimal size for ethical sales force, calling on hospitals and pediatricians.
- Design program for private-sector leadership to combat low-birth weight.
- Assess opportunity for new manufacturing facility and packaging options.
- Advise on likely entry strategy of potential competitor.
- Pricing strategy across product line. Market research with consumers.
- Evaluate opportunity to purchase pumps and plastics business for enteral feeding.
- Assess value of a patient/consumer regarding awareness/trial/usage. Market research involving patients.
- Assess value of hospital contracts for feeding systems in Canada. Market research involving patients and hospitals.

Oncology

- Strategy for second-generation oncolytic as predecessor product goes generic. Market research with physicians and hospitals.
- Strategy for oncolytic as it goes generic. Market research with physicians and hospitals.
- Pricing and managed care strategy to support the launch of a second-generation oncolytic. Market research with physicians and hospitals.
- Diagnostic strategy for breast cancer. Market research with physicians.
- Contracting strategy alternatives to support the launch of an oncolytic. Market research with physicians.
- Contracting strategy alternatives for oral oncolytics. Market research with payers and physicians.

Ophthalmology

- Develop pricing and contracting strategies, including new indication opportunity and assessment of competitor response. Market research with payers and physicians.
- Assess opportunity with and potential strategies for collaborating with GPOs to build category opportunity and gain product share.

Respiratory

- Distribution strategy for a specialty pharmacy asthma product.
- European launch strategy for COPD product.
- Assess opportunity for contracting strategy and consider ASP exposure. Interviews with payers and pharmacies.

Rheumatology

- Managed care strategy to support the launch of a new indication.
- Global opportunity assessment for a pipeline product. Particular focus on payer receptivity in US, Canada, France, and UK.
- Competitive strategy analysis for rheumatoid arthritis treatment. Market research with physicians, managed care, and specialty pharmacy.
- Portfolio positioning and contracting strategy.
- Hospital strategy for an infused anti-TNF.
- Launch strategy for an anti-TNF. Market research with physicians, patients, and managed care.
- Contracting strategy for rheumatology product. Market research with managed care and physicians.
- Assessment of biosimilar opportunity and strategies for response. Market research with payers, hospitals, and physicians.
- Comprehensive review of pricing and contracting strategy across all channels. Market research with payers.
- Development of at-risk contracting strategy.

Urology

- Managed care strategy to support incontinence product. Market research with managed care, physicians, and patients.
- Managed care strategy to support the launch of a product for premature ejaculation. Market research with managed care, physicians, and patients.
- Pricing and managed care strategy to support the launch of a product to treat enlargement of the prostate. Market research with physicians, patients, and managed care.
- Assessment of biosimilar opportunity and strategies for response. Market research with payers, hospitals, and physicians.
- Comprehensive review of pricing and contracting strategy across all channels. Market research with payers.
- Development of at-risk contracting strategy.

Wound closure

- Opportunity assessment for novel wound closure technology.
- Contracting strategy for wound closure treatments.
- Opportunity assessment regarding home healthcare and wound closure treatments.

Other

- Global valuation of technology for eye care company.
- Managed care strategy to support the launch of visco-supplementation product. Market research with physicians and managed care.
- Assessment of role for specialty pharmacies in channel management.
- Global assessment of opportunities and infrastructure to support the launch of new vaccine products.
- Assessment and re-design of contracting support operations.
- Product design and bidding strategy for commercial managed care and Medicare Part D provider.
- Opportunity assessment regarding home healthcare and medical gases.

General strategy

- Evolution of managed care and its impact on the pharmaceutical industry.
- Strategy for the retail pharmacy.
- Innovations in managed care contracting.
- Assessment of B2B e-commerce strategy for the pharmaceutical industry.
- Contracting for all manufacturer products with major US PBM.
- Strategy for Medicare Part D.
- Tender pricing strategy and implementation. Pilot test covers Mexico, Brazil, Taiwan, Australia, and UAE.
- Corporate strategy regarding opportunities for cross-company collaboration covering prescription pharmaceuticals, over-the-counter drugs, diagnostics, and vaccines.
- Redesign of business planning capability incorporating local market assessments.
- Redesign of managed markets functions and departments.
- Portfolio positioning strategy for managed care. Market research with managed care.
- Channel stewardship strategy for physician-administered products.
- Opportunity assessment in benefits administration.
- Global portfolio strategy assessment for biosimilars. Market research with payers, pharmacists, and physicians.

Licensing strategy

- Valuation of biologics contract development and manufacturing facility
- Licensing strategy for antibody discovery technology.
- Licensing strategy for orphan drug.

Public policy

- Forced conversion to OTC status.
- Innovation in the pharmaceutical industry: Opportunities for Europe.
- Comparative analysis of access to innovative pharmaceutical products. Countries covered include: US, Australia, Canada, France, Germany, and UK.
- Development of scorecard to assess exposure to pricing pressures.

Honors and awards

Dean's Doctoral Fellow, Harvard Graduate School of Arts and Sciences/Harvard Graduate School of Business Administration.

George Baker Scholar, John Thayer Scholar, Frank Knox Memorial Fellow, McKenzie King Traveling Scholar, Harvard Graduate School of Business Administration.

Governor General's Gold Medal, Gordon Shrum Scholar, Simon Fraser University.

















Highly Confidential -- Attorneys' Eyes Only (C&D)

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Highly Confidential -- Attorneys' Eyes Only (C&D)

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Confidential

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Highly Confidential -- Attorneys' Eyes Only

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.

Highly Confidential - Attorneys' Eyes Only (SPD) (Stick sales [1] only)



Confidential

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Confidential

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Confidential

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Confidential

Based in part on data reported by Nielsen through its Retail Measurement Service for the Consumer Diagnostics Category from the 4 week period ending April 30, 2011 through the 4 week period ending February 12, 2017 for the U.S. market. Copyright © 2017 The Nielsen Company.



Highly Confidential -- Attorneys' Eyes Only (C&D)



Highly Confidential -- Attorneys' Eyes Only (C&D)

Highly Confidential -- Attorneys' Eyes Only (C&D)



Highly Confidential -- Attorneys' Eyes Only (C&D)



Highly Confidential -- Attorneys' Eyes Only (C&D)